

Amendments to the Claims:

The listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Previously Presented) In a mobile communications system comprising a network and at least one mobile station, a method for selecting a transport format combination TFC to be used for communication from the mobile station to the network, over a channel of variable quality, the method comprising the steps of:

- a) defining a set of possible transport format combinations;
- b) calculating a channel quality requirement for the effective use of each transport format combination;
- c) indicating the transport format combinations and the channel quality requirements to the mobile station;
- d) calculating an existing quality of the channel of variable quality; and
- e) indicating the existing quality of the channel of variable quality to the mobile station; and, in the mobile station;
- f) storing the transport format combinations and relative channel quality requirements;
- g) receiving the indication of existing channel quality;

h) selecting one of the transport format combinations having a channel quality requirement no greater than the existing channel quality, and

i) informing the network of the selected transport combination, characterized in that the indication of the existing quality of the channel of variable quality is communicated to the mobile station by inband signaling, whereby the indication of the existing quality of the channel of variable quality is included in every downlink radio packet, in data locations normally assigned for carrying user information.

2. (Original) A method according to claim 1 wherein the step h of selecting one of the transport format combinations is performed with regard to the type of data to be transmitted by the mobile station.

3. (Previously Presented) A method according to claim 1, wherein the transport format combinations enable transmission of data blocks containing data from different Temporary Block Flows in each block.

4. (Previously Presented) A method according to claim 1, wherein calculation of the existing quality of the channel of variable quality is performed periodically during communication.

5. (Previously Presented) A method according to claim 1, wherein the relative channel quality is calculated as the minimum channel quality required such that data sent on the channel is received with an error ratio below a defined threshold.

6. (Previously Presented) A method according to claim 1, wherein the step c of indicating transport format combinations and channel quality requirements to the mobile station includes the steps of:

(c1) ranking the transport format combinations according to the associated channel quality requirement; and

(c2) indicating the rank of each transport format combination to the mobile station, along with the transport format combinations themselves, to the mobile station.

7. (Original) A method according to claim 6, wherein the step c2 of indicating the rank of each transport format combination comprises indicating the transport format combinations themselves in order of increasing, or decreasing, rank.

8. (Previously Presented) A method according to claim 6 wherein the step of indicating the existing quality of the channel of variable quality comprises indicating the rank of the transport format combination having the highest channel quality requirement, which could effectively be employed on the channel in its existing quality.

9. (Original) A method according to claim 8, wherein the rank is indicated as an absolute value.

10. (Original) A method according to claim 8 wherein the rank is indicated as a relative value, being an offset relative to a previous value of the rank.

11. (Cancelled)

12. (Previously Presented) A communications system comprising a network and a mobile station, respectively comprising means for carrying out the steps of, and arranged to perform, the method of claim 1.

13. (Previously Presented) A network comprising means for carrying out the respective steps of the method of claim 1 and arranged within a communications system according to claim 12.

14. (Previously Presented) A mobile station comprising means for carrying out the respective steps of the method of claim 1 and arranged within the communications system according to claim 12.

15. (New) A method for selecting a transport format combination (TFC) for use by mobile station for transmissions over a channel of variable quality to a mobile station, the method comprising the steps of:

receiving, by the mobile station from the base station, a set of transport format combinations and a calculated channel quality requirement for each transport format combination of the set;

receiving, by the mobile station from the base station, an indication of existing channel quality of the channel of variable quality, wherein the indication is received by inband signaling in a user data portion of a radio packet;

selecting, by the mobile station, one of the transport format combinations having a channel quality requirement no greater than the existing channel quality; and

informing, by the mobile station, the base station of the selected transport combination.

16. (New) The method of claim 15, wherein the indication of existing channel quality is included in the packet following the coded transport format combination identifier (TFCI).

17. (New) The method of claim 15, wherein the indication of existing channel quality of the channel of variable quality is received by the mobile station in every data packet.

18. (New) The method of claim 15, wherein the selection of one of the transport format combinations is performed with regard to the type of data to be transmitted by the mobile station.

19. (New) The method of claim 15, wherein the transport format combinations allow transmission of data blocks containing data from different Temporary Block Flows in each block.

20. (New) The method of claim 15, wherein the relative channel quality is calculated as the minimum channel quality required such that data sent on the channel is received with an error ratio below a defined threshold.

21. (New) The method according to claim 15, wherein the mobile station receives from the base station an indication of a rank of each transport format combination according to the associated channel quality requirement.